FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL WRIT PETITION NO. 2332 OF 2006

Office notes, office Memoranda of appearances, Court's orders or directions & Registrar's orders.	: Coram, : : :	Court's or Judge's Orders .

Mr. Hiralal Chaturwadi for petitioners
Mr. S. K. Pandey for R-1
Mrs. M.M. Deshmukh, APP

CORAM: SMT. RANJANA DESAI, J.

DATED:-17/11/2006

P.C.:-

Heard learned counsel for the petitioner. The learned counsel for respondent 1 is present.

An efficacious remedy of filing of a revision in the Sessions Court is available to the petitioners. In view of the judgment of this court in Criminal Writ Petition No. 550 of 2005 dated 21/6/05 (Smt. V.K. Tahilramani, J.) the present petition cannot be entertained. The petitioners will be however, at

liberty to approach the Sessions Court, if they so desire. Petition is dismissed.

All contentions of the petitioner are kept open.

I am informed that on the last occasion the learned Magistrate has imposed cost of Rs.1500/- on the petitioners. The learned counsel for the petitioners says that he will file a revision application in the sessions court within a period of two weeks from today.

In the peculiar facts and circumstances of the case, the learned Magistrate will not proceed with the matter only for a period of two weeks from today. I make it clear that this order is passed by me not after considering the merits of the case but only in the peculiar facts and circumstances of the case. After a period of two weeks the learned Magistrate will be free to pass such order as it appears appropriate to him, unless there is any order of the superior court staying the case.

JUDGE.